

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
June 17, 2002
7:00 P.M.**

MAYOR JOSEPH M. BUTLER PRESIDING

PRESENT: **COUNCILWOMAN ROXANNE M. BURNS
COUNCILMAN PETER L. CLOUGH
COUNCILMAN PAUL A. SIMMONS
COUNCILMAN JEFFREY M. SMITH
MAYOR BUTLER**

ALSO PRESENT: **CITY MANAGER JERRY C. HILLER
ASSISTANT CITY MANAGER MARY M. CORRIVEAU
CITY ATTORNEY ROBERT J. SLYE**

Assistant Manager Corriveau presented the following reports to the Council:

- No. 1 - Authorizing Sale of Real Property, Known as VL Morrison Street, Parcel No. 1-03-102.000
- No. 2 - Supplemental Appropriations No. 1 for General, Water, Sewer, Library and Debt Service Funds
- No. 3 - Accepting Bid for Ready Mix Concrete, Watertown Concrete
- No. 4 - Accepting Bids for Safety Shoes, Max's Outfitters
- No. 5 - Approving Bid for Chemicals, Wastewater Treatment Plant, Eaglebrook Environmental
- No. 6 - Approving Bid for Chemicals, Wastewater Treatment Plant, Polydyne, Inc.
- No. 7 - Awarding Bid for Franchise of Fairgrounds Ice Arena Concession Stand, Varsity Club Café
- No. 8 - Authorizing Economic Development Services Agreement Between the City of Watertown and the Empire Zone Administration Board
- No. 9 - Approving Amendment No. 31 to the Management and Management Confidential Pay Plan for Fiscal Year 2002-03
- No. 10 -Establishing Percentage of Special Assessment to be Paid by City of Watertown, Pursuant to Section 93 of the City Charter
- No. 11 -Approving the Site Plan for the Construction of a 1,826 Sq. Ft. Two-Story Addition and Parking at 138 Winthrop Street, Parcel No. 12-02-204
- No.12- 7:30 p.m. - Local Law No. 7 of 2002, Amending City Code of the City of Watertown, Section 253-17, Sewer Rents
- No.13 -Monthly Report
- No. 14 -Front Yard Parking
- No.15 - Sign Ordinance Revisions

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of June 3, 2002 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

Mayor Butler announced that the City's American Heart Walk Team had received a certificate of achievement for the monies they raised for the Heart Walk.

Mayor Butler thanked everyone for making his trip to Austria possible. He explained that both Canada and England had supported Watertown's bid for the event.

COMMUNICATIONS

Minutes were received from the library's board meeting.

ABOVE PLACED ON FILE

From J. Richard Gaffney, NESNID Committee thanking Council for approving the State Street Revitalization Program proposal.

ABOVE PLACED ON FILE

From the City Planning Board recommending that Council grant approval for the site plan submitted on behalf of the Credo Community Center for a construction of a 1,826 sq. ft. two-story addition and parking lot expansion at 138 Winthrop Street, Parcel No. 12-03-204 contingent upon certain requirements being met as outlined in the resolution.

ABOVE PLACED ON FILE

From the City Assessor advising Council that the following individuals have offered to purchase the following City owned property:

1. Jolene Marcinko for a portion of paper street known as Brown Avenue
2. Charles A. Taylor for 265 and 266 Hillcrest Avenue
3. Bruce Goewey, Watertown Housing Authority for VL Eastern Blvd and 303 Moulton Street.

The following claims against the City were filed:

1. From Suzanne Morrow for costs incurred when her guide dog walked through wet paint at an intersection.
2. From Anthony Caputo for personal injuries sustained when he allegedly tripped and fell due to an iron decorative border around a tree located near the bus stop.

3. From Todd Martin for damage to his vehicle when a manhole cover broke on S. Indiana Avenue.

ABOVE CLAIMS REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF FLOOR EXTENDED

Kathy Plante-Hunt, 1026 Gill Street, addressed the chair asking for a four-way stop sign at the intersection of North Pleasant and Gill Streets. She presented a letter from neighbors in the area supporting the signage. She explained that speeding is a real problem on the street.

Councilman Clough asked Mr. Hiller to follow through with this.

Mr. Hiller explained that staff would be looking into it. The Police Department, City Engineering and the NYS DOT will review the situation. He explained that the traffic study would take between 30 and 45 days to complete.

Chris Black, Watertown Hockey Association, addressed the chair concerning the bid award for the fairgrounds ice arena concession stand. He explained that since the WHA was outbid, they would like to discuss the club's financial situation with the Council to see if this could be changed. He explained that the WHA is a non-profit group and volunteers do all the work. WHA is financed through registration fees and concession stand profits. Mr. Black also explained that their projected budget for next year includes paying the City of Watertown \$42,000 in ice fees.

Blair Harff, Watertown Hockey Association, addressed the chair explaining that there are a number of issues to consider. WHA has gone out and brought in tournaments. This brings 120 families into the City for three days. He also outlined the financial situation that the club faces and the drop in the number of participants due to the cost of the program.

Councilman Smith commented that he wanted it known that he had been a member of WHA and his son is now a member of the organization. He explained that he had spoken with Attorney Slye about any conflict of interest he might have when the resolution comes up for discussion and vote.

Lisa Carl, owner of the Doggie Doo, addressed the chair asking that Council reconsider her sign request. Reading from a prepared statement, she reviewed the zoning requirements for signs.

PUBLIC HEARING

AT 7:30 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING LOCAL LAW NO. 7 OF 2002.

MAYOR BUTLER OPENED THE HEARING.

Howard Sprague, Ives Street, addressed the chair asking about the restructuring of the Water and Sewer Department and asking if this would mean this income would go into the general fund. Mr. Sprague also questioned outside users along Route 3 paying less than City residents.

Mr. Hiller explained that the amounts paid depend on the volume used and decreases as the volume increases. He also stated that those people are paying for the line.

Virginia Burdick, Bellew Avenue, also asked if the monies raised would stay in the sewer fund. She mentioned that each time, either the water or sewer is raised.

Mayor Butler explained that the monies stay in the water and sewer funds. He also explained that it has been 11 years since there has been a rate increase in the sewer fund and 7 years since there has been an increase in the water fund.

MAYOR BUTLER CLOSED THE HEARING AT 8:05 P.M.

R E S O L U T I O N S

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL Morrison Street, approximately 132' x 165' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 1-03-102.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$5,445.00 submitted by the Watertown Elks Lodge, for the purchase of Parcel No. 1-03-102.000 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said

real property to the Watertown Elks Lodge upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$883,040 is hereby transferred and appropriated from and to the following accounts of the listed funds for FY 2001-02 for the reasons shown:

GENERAL FUND

ADDITIONAL APPROPRIATIONS

A1364.170	Property Acquired for Taxes	Out of Code	\$ 3,700	Under Appropriated
.410	Utilities		810	Under Appropriated
.460	Materials & Supp.		1,830	Under Appropriated
A1410.430	City Clerk – Contracted Services		7,500	Records Grant
A1430.440	Civil Service, Fees Non-Emp		900	Under Appropriated
.450	Miscellaneous		960	Under Appropriated
.850	Health Insurance		1,825	No Orig. Apppr.
A1680.430	Data Processing – Contracted Services		24,000	Add. software serv.IKON
A1930.430	Judgments & Claims – Contracted Serv.		1,750	Under Appropriated
A2989.460	DARE – Contracted Services		7,850	No original appropriation
A3410.110	Fire Department – Salaries		76,000	Retro contract settlement
.130	Wages		157,000	Retro contract settlement
.150	Overtime		235,000	Under Appropriated
.195	Clothing Allowance		23,350	Contract Settlement
.810	State Retirement		3,525	Under Appropriated
.820	Police & Fire Retirement		22,625	Under Appropriated
.830	Social Security		34,000	Contract Settlement
A3620.110	Code Enforcement – Salaries		3,000	Under Appropriated
A5010.130	DPW Road Municipal Maintenance –Wages		44,000	Under Appropriated
A5110.130	DPW Road Maintenance – Wages		63,000	Under Appropriated
.170	Out of Code		18,000	Under Appropriated
A5650.170	Off Street Parking- Out of Code		2,300	State St. Pkg. Lot
.410	- Utilities		1,950	State St. Pkg. Lot
.430	- Contracted Services		4,110	State St. Pkg. Lot
.460	- Materials & Supplies		26,000	State St. Pkg. Lot
A7510.430	Historian –Cont. Services		3,000	Under Appropriated
A8010.430	Zoning – Cont. Services		1,000	Under Appropriated.
A9010	State Retirement		7,000	Under Appropriated
A9950	Inter-fund Transfer		<u>79,000</u>	Under Appropriated
			854,985	

REDUCTIONS IN APPROPRIATIONS

A1990	Contingency	(737,410)
A9730.6	Bond Antic. Note – Principal	(91,875)
A9730.7	Bond Antic. Note – Interest	(10,600)
A9930	Transfer to Fairground Reserve	<u>(15,100)</u>

(854,985)

WATER FUND

ADDITIONAL APPROPRIATIONS

F9010	State Retirement	\$5,300	Under appropriated
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REDUCTIONS IN APPROPRIATIONS

F1990	Contingent	(5,300)
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SEWER FUND

ADDITIONAL APPROPRIATIONS

G9010	State Retirement	4,000	Under Appropriated
G9050	Unemployment Insurance	1,040	No Original Apprpr.
G9060	Health Insurance	100	Under Appropriated
G9950	Transfer to Capital	<u>11,000</u>	No Original Apprpr.
		16,140	

REDUCTIONS IN APPROPRIATIONS

G9730.6	Bond Antic. Note Principal	(16,140)
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LIBRARY FUND

ADDITIONAL APPROPRIATIONS

L9010	State Retirement	1,750	Under Appropriated
L9730.7	Bond Antic. Note – Int.	45	Under Appropriated
L9950	Transfer to Capital	<u>4,000</u>	No Original Approp.
		5,795	

REDUCTION IN APPROPRIATIONS

L1990	Contingent	(1,795)
L9730.6	Bond Antic. Note – Prin.	<u>(4,000)</u>
		(5,795)

DEBT SERVICE

ADDITIONAL APPROPRIATIONS

V9925	Transfer to Sewer Fund	455	Under Appropriated
V9930	Transfer to Library Fund	<u>365</u>	Under Appropriated
		820	

REDUCTIONS IN APPROPRIATIONS

V9510	Transfer to General Fund	(820)
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RISK RETENTION FUND
ADDITIONAL APPROPRIATIONS

CS 1740.430	Administration	8,000
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REDUCTIONS IN APPROPRIATIONS

CS 1930.430	Judgments & Claims	(8,000)
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HEALTH INSURANCE

ADDITIONAL APPROPRIATIONS

MS1710.430	Administration	2,300
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REDUCTIONS IN APPROPRIATIONS

MS1722.430	Stop Loss Insurance	(2,300)
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**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED
WITH ALL VOTING YEA**

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Ready Mix Concrete for use by the Department of Public Works, and

WHEREAS invitations to bid were issued to four (4) prospective bidders with three (3) bids being received, and

WHEREAS on Tuesday, June 4, 2002, at 11:30 a.m., the bids received were publicly opened and read, and

WHEREAS Robert J. Cleaver, City Purchasing Agent, reviewed the bids received and is recommending that the City Council accept the bid submitted by Watertown Concrete, as detailed below:

4000 lb. Coarse	\$65.00/cubic yard
4000 lb. Fine	\$65.00/cubic yard
5000 lb. Fine	\$75.00/cubic yard

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Watertown Concrete, as detailed above, for the purchase of crushed gravelstone for use by the Department of Public Works.

SECONDED BY COUNCILMAN JEFFREY M. SMITH

Commenting on the foregoing resolution, Councilman Smith asked how much of the three different kinds were ordered during the year.

Mr. Hiller explained that he would have to get back to Council. He stated that these amounts would be varied based on the projects that were being done. Certain job specs would require certain types of concrete.

Mrs. Corriveau commented that she could prepare a report outlining last year's usage. She explained that if Council wished to table the resolution, her concern would be the length of time that the bids are good for.

Attorney Slye commented that if the jobs don't call for the product, the City doesn't buy it. He stated that if Council is concerned about the amounts being ordered, they could speak with staff about ordering procedures. He stated that since the Watertown Concrete bid is the lowest, that is why it is being recommended.

Councilman Simmons explained that they were not the lowest for the 5000 lb fine mix and that it what he is concerned about.

Mayor Butler stated that he assumed the bid could not be split.

Attorney Slye explained that this could not be done unless it was advertised that way.

Mrs. Corriveau phoned Mr. Cleaver and he informed her that the bid was good for at least 30 days. The bid was opened on June 4th. Therefore, Council could wait until the July 1st meeting to make a decision.

MOTION TO TABLE THE FOREGOING RESOLUTION WAS MADE BY COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City has advertised and received sealed bids for the purchase of steel toe safety shoes, per City specifications, for use by the City's CSEA employees, and

WHEREAS invitations to bid were issued to five (5) prospective bidders, and

WHEREAS the one (1) bid received was publicly opened and read on Tuesday, June 11, 2002, at 11:00 a.m. in the City Purchasing Department, and

WHEREAS City Purchasing Agent Robert J. Cleaver has reviewed the bid received and is recommending that the City Council accept the bid submitted by Max's Outfitters, 162 Court Street, Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid submitted by Max's Outfitters, 162 Court Street, Watertown, New York, for the purchase of steel toe safety shoes, per City specifications, for use by the City's CSEA employees on an as needed basis of the types and at the unit prices shown below:

Type	Cost
Redwing 4408	\$ 93.75/pair
Redwing 2233	\$ 99.75/pair
Redwing 2245	\$ 98.75/pair
Redwing 4412	\$119.75/pair
Toe Guard	\$ 6.00/pair

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN JEFFREY M SMITH

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Wastewater Treatment Facility during Fiscal Year 2002-03, and

WHEREAS invitations to bid were issued to eighteen (18) prospective bidders, with a total of eight (8) bids being received, and

WHEREAS on Monday, May 24, 2002, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS Chief Wastewater Treatment Plant Operator Michael Sligar and Purchasing Agent Robert Cleaver reviewed the bids received and are recommending that the City Council accept the bid submitted by Eaglebrook Environmental, as detailed below:

Eaglebrook Environmental:

Ferric Chloride	\$250.00/dry ton delivered
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NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Eaglebrook Environmental, as detailed above, for the purchase of chemicals for use at the City Wastewater Treatment Plant.

SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Wastewater Treatment Facility during Fiscal Year 2002-03, and

WHEREAS invitations to bid were issued to eighteen (18) prospective bidders, with a total of eight (8) bids being received, and

WHEREAS on Monday, May 24, 2002, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS Chief Wastewater Treatment Plant Operator Michael Sligar and Purchasing Agent Robert Cleaver reviewed the bids received and are recommending that the City Council accept the bid submitted by Polydyne, Inc., as detailed below:

Polydyne, Inc.:

Dry Polymer C-3281	\$1.05/pound delivered
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NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Polydyne, Inc., as detailed above, for the purchase of chemicals for use at the City Wastewater Treatment Plant.

SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the City of Watertown advertised and received sealed bids for the franchise of the Fairgrounds Ice Arena Concessions for Fiscal Year 2002-03, and

WHEREAS invitations to bid were issued to fourteen (14) prospective bidders with the two (2) bids received being publicly opened and read on Monday, June 10, 2002,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby accepts the bid of the Varsity Club Cafe in the amount of \$7,500, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute a Franchise Agreement between the City of Watertown and the Varsity Club Cafe on behalf of the City of Watertown, a copy of said Franchise Agreement is attached and made a part of this resolution.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH WHO ABSTAINED

Commenting on the foregoing resolution, Councilwoman Burns commented that the specs for the bid indicated that the minimum bid was \$7,000. She questioned why the WHA chose to bid only \$5,500.

Mr. Black stated that they couldn't afford the \$7,000. He stated that they saw no increase in income from the concession stand last year and since they only paid \$1,500 for the bid a few years ago they didn't feel that they could bid the higher amount.

Councilwoman Burns asked if they weren't concerned that they would be outbid.

Mr. Black responded that they were somewhat concerned. However, this is only the second time that anyone had bid against them.

Mayor Butler asked what Council's legal options were.

Attorney Slye explained that Council could reject all bids if they so desire. He also explained that Council doesn't have to put the franchise out for bid. Putting it out to bid was a policy decision made by a prior Council as a way to bring more money into the City.

Councilman Smith questioned who set the minimum bid amount.

Mrs. Corriveau explained that Mr. Cleaver set the amount based on what the WHA bid last year.

Mr. Harff commented that \$3,500 had been the minimum bid the year before that. He questioned what caused the minimum bid to keep going up.

Councilman Clough commented that Council went on a tour of ice facilities and it was determined that the prices being charged by the City were much lower than in other municipalities. Therefore, it was determined that rates should be raised.

Mr. Harff stated that he could understand the increase in ice fees. However, along with the increase in concession fees, it will lead to a potential loss of revenue for the City.

Mayor Butler remarked that Council does understand the dilemma.

Councilman Simmons commented that the bid went out quite a while ago and this is the first that Council has been contacted. He stated that bids were opened on June 10th and asked why no one had contacted the City prior to this evening.

Mr. Harff explained that the vice-president of the group had contacted Mr. Hiller and had been advised to bring their concerns to this meeting.

Mr. Hiller explained that he had met with the vice-president on June 7th, before the bids were opened, and had indicated to him that this issue would be discussed at this evening's meeting.

Councilwoman Burns remarked that she understands the plight of the non-profit groups. Her concern, however, is that if Council grants the bid to the WHA, they would be going against the procedure that is in place. She commented that it would have been a good situation for the WHA to have contacted Council members prior to this. She stated that she would feel uncomfortable deviating from the procedure at this late date.

Mr. Harff commented that no one from the City contacted the WHA before increasing fees.

Mr. Hiller explained that Mr. St. Croix had met with all the users to advise them of the three-year plan to increase fees at the time it was being discussed.

Councilman Simmons commented that two other firms were also trying to bid on the concession, but were not able to get the bids submitted in time.

Mayor Butler commented that Council will try to do all they can to help WHA. However, since the bid didn't meet the minimum amount, it can't be considered.

Councilman Clough asked how the concession fee was to be paid.

Mrs. Corriveau explained that half is due at the time of signing the agreement. In addition, \$500 for electricity is also due at that time.

Councilman Clough asked if Ultimate Goal was current.

Mrs. Corriveau explained that the resolution does not award the bid to Ultimate Goal. It awards it to Varsity Club Café, which is operated by Kurt Robbins.

Attorney Slye commented that even if Mr. Robbins were delinquent in payments, it would not make him an unqualified bidder. He explained the difference between this lease agreement and not selling city-owned property to code violators and delinquent

taxpayers. He explained that this agreement was put out to bid in accordance with General Municipal Law.

After the vote had been called on the resolution, Councilman Clough questioned why Councilman Smith abstained from voting.

Attorney Slye commented that Councilman Smith doesn't have a contract with the WHA, which would have prohibited him from voting on the resolution. However, Councilman Smith thinks he has an ethical conflict and therefore abstained.

Mayor Butler commented that he had abstained from voting on an issue involving the Watertown Golf Club because he was on the board of directors not just because he was a member. He also commented that Councilman Smith voted on that issue and was also a member of the golf club.

Councilman Smith explained that his membership in the golf club had expired at the time of the vote and he felt that to vote on the concession stand issue would be conflict of interest for him.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS New York State has designated a portion of the Town of Watertown and the City of Watertown as an Empire Zone, and

WHEREAS the Empire Zone Administration Board has been named by the City Council of the City of Watertown, pursuant to the legislative requirements of the Empire Zone Program, to oversee Zone activities, and

WHEREAS the City of Watertown is committed to funding a portion of the local match required to receive administrative funds from New York State,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the Agreement for Economic Development Services between the Empire Zone Administrative Board and the City of Watertown is hereby approved, a copy of said Agreement is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the Mayor, Joseph M. Butler, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS WHO ABSTAINED

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS on November 19, 2001 the City Council of the City of Watertown adopted Amendment No. 30 to the Management and Management Confidential Pay Plan for Fiscal Years 2001-02 and 2002-03, and

WHEREAS during Fiscal Year 2002-03 Budget deliberations the City Council of the City of Watertown determined that the raise for Fiscal Year 2002-03 for Management and Management Confidential employees should be limited to a one percent (1%) increase to the established salary for Fiscal Year 2001-02,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves Amendment No. 31 to the Management and Management Confidential Salary Pay Plan, in order to establish annual compensation for the positions listed below effective July 1, 2002:

Position	2002-03 Salaries
City Manager	88,850
Police Chief	73,140
City Comptroller	71,385
City Engineer	69,465
Police Captain	68,955
Fire Chief	67,295
Assistant City Manager	65,025
Superintendent of Public Works	65,025
Deputy Fire Chief	62,885
Superintendent of Water	61,915
Library Director III	60,350
Assistant Superintendent of Public Works	55,560
Civil Engineer II (Solar)	54,860
Chief Waste Water Treatment Plant Oper	54,045
Deputy City Comptroller	53,895
Purchasing Agent	53,555
Civil Engineer II(Storino)	53,315
Information Technology Manager	52,520
Planning and Community Dev. Coord..	51,535
Superintendent of Parks and Recreation	51,535
City Clerk	50,420
City Assessor	50,210
Supervisor of Maintenance and Distribution	49,970
Chief Water Treatment Plant Oper	49,835
Code Enforcement Supervisor	48,985
Auto Mechanic Supervisor	48,350
Street and Sewer Maintenance Supervisor	48,350
Librarian III	47,090
Planner	42,825

Civil Engineer I	45,525
WW Treatment Plant Operations Supervisor	45,525
Accounting Supervisor	41,740
Parks and Recreation Maintenance Supv.	40,560
Refuse Collection Supervisor	39,045
Confidential Secretary to City Manager	37,715
Deputy City Clerk (VanDusen)	33,815
Stenographic Secretary	32,355
Exec Secretary Civil Service Commission	30,300
Deputy City Clerk(Frezzo)	27,195

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN CLOUGH AND COUNCILMAN SMITH VOTING NAY

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS a public hearing was held in accordance with Section 93 of the City Charter on May 6, 2002 at 8:15 p.m. to hear public comment concerning whether all or a portion of the cost for proposed sidewalk improvements to the streets identified in the attached proposed special assessment district, shall be a charge or expense upon the abutting properties, and

WHEREAS the City Council has determined that it shall fix the percentage of the entire cost to be paid as a general city charge as **ZERO -0-**

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, pursuant to Section 93 of the City Charter, hereby fixes the percentage of the entire cost of the proposed sidewalk improvements to the streets identified in the attached proposed special assessment district to be paid by the City at **ZERO -0-**

SECONDED BY COUNCILMAN PAUL A. SIMMONS

Commenting on the foregoing resolution, Councilman Smith questioned its wording. He stated that the term “entire cost” is unclear.

Mrs. Corriveau explained that we are looking at the charge the City would assess to the abutting property owner and only that charge. She also explained that the wording of the resolution is in line with the wording Section 93 of the City Charter. She also explained that they are not asking Council to address the line and grade issue.

Attorney Slye advised that when the homeowner is notified they can either do the work themselves, pay the City in full at the time the City does the work or opt to participate in the special assessment program that spreads the payments out over 10 years.

It was explained to Council that regardless of the street, the fee per block would be the same if all things were equal.

Attorney Slye also explained that to permit the next step to move forward, this issue needed to be addressed at this time.

Mayor Butler commented that the reason he will vote no on the amendment and the resolution is because he feels that there should be a percentage amount from the City to help defray these costs.

MOTION TO AMEND THE RESOLUTION TO READ “Zero -0- “ AMOUNT WAS MADE BY COUNCILWOMAN BURNS, SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF EXCEPT COUNCILMAN CLOUGH AND MAYOR BUTLER VOTING NAY

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AS AMENDED AND CARRIED WITH ALL VOTING IN FAVOR THEREOF EXCEPT COUNCILMAN CLOUGH AND MAYOR BUTLER VOTING NAY

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Michael J. Harris, RA, of Bernier Carr & Associates, P.C., has made application for site plan approval on behalf of the Credo Community Center for the Treatment of Addictions, Inc., for the construction of a 1,826 sq. ft., two-story addition and parking lot expansion at 138 Winthrop Street, Parcel No. 12-03-204, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on Tuesday, June 4, 2002, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That adequate site lighting be provided in the proposed parking area.
2. That the existing street trees located on either side of the proposed driveway be protected by a substantial frame, box, or fencing at least 4' in height located at the trees' dip line, installed prior to the start of construction.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted

Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Michael J. Harris, RA, of Bernier Carr and Associates, P.C. on behalf of the Credo Community Center for the Treatment of Addictions, Inc., for the construction of a 1,826 sq. ft., two-story addition and parking lot expansion at 138 Winthrop Street, Parcel No. 12-03-204, as shown on plans submitted to the City Engineer on May 22, 2002, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

LOCAL LAW

LOCAL LAW NO. 7 OF 2002 WAS PRESENTED TO COUNCIL (Introduced on June 3, 2002; public hearing held this evening; appears in its entirety on page 144 of the 2002 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Ultimate Goal

Councilman Clough asked how far they were behind in payments.

Mr. McCauley explained that they are about \$3800 in arrears on a \$10,000 payment and it was due over a year ago.

Mr. Hiller commented that he had scheduled a meeting with the owners, but they were unable to attend and it has to be rescheduled. He remarked that they feel there is a discrepancy in the accounting and that they don't owe that much. He also explained that they were in a refinancing mode with their lending institutions and there was a moratorium placed on payments at that time. However, they are now making payments to the banks.

Councilman Clough asked about the horse arena agreement.

Councilman Simmons commented that Council would love to address that issue.

Councilman Clough remarked that the answer isn't to do nothing. He asked that a meeting with the owner take place as soon as possible.

Mayor Butler commented that they recognize that there was a lack of implementation and the blame falls both on the City and Ultimate Goal.

Ogilvie Property

Councilman Clough expressed his concerns over the condition of this property. He stated that he would hate to think that the City is forgetting about the buildings outside of downtown that are in total disrepair. He stated that Council needs to take responsibility for taking action on this building.

Mr. Hiller commented that two member-initiative requests have been put in to Senator Wright's office and Congressman McHugh's office to see if there are funds to assist with this project.

Councilman Clough remarked that he would ask Council to make a commitment to take action on this property if the money doesn't come through from these sources.

Mayor Butler asked if this would qualify as a brownfield site.

Mr. Hiller explained that it wouldn't.

Councilman Simmons remarked that the neighbors would like to see the building secure as people are sleeping in it and kids are on the roof. He also explained that the neighbors would like to see the zoning changed back to residential for that area.

Attorney Slye explained that the former owners have no money to do the work and the minute the City Engineer says it is an unsafe building, the City is obligated.

Mayor Butler asked what the estimate for demolition was.

Mr. Hiller stated that while he doesn't have the exact figures, he would assume it would be around a \$250,000.

Councilman Simmons felt that it could be even higher than that.

Bidding of Insurance

Councilman Smith asked about this.

Mrs. Corriveau informed Council that the bids for this were due today.

Four-Way Stop Signs

Mayor Butler commented that he would hope the City would implement the recommendations of removing obstructions and placing larger signs at the intersections and would also revisit the issue of “Stop Sign Ahead” signage.

Mr. Hiller advised Council that one person did cut down a bush at Sherman and Flower Ave and the other property owner gave the City permission to cut down a tree.

Relay For Life

Councilman Simmons commended the DPW, Recreation and Electric crews who helped with this event. He stated that they did an excellent job in supplying all the needs for making this event a success.

Brownfield Grant Committee

Mr. Hiller stated that one representative for this committee should be from the Council.

Mayor Butler offered to serve on the committee. Council concurred.

The Thomas Matthew’s Property

Councilman Smith referred to this property stating that he and his wife had been interested in purchasing it. He stated that he had asked Attorney Slye if there would be a conflict of interest if he purchased a tax certificate from the City. He stated that he was told there would be no conflict of interest. In addition, he commented that it had been his understanding that there was no agreement with anyone else concerning this property. He went on to say that he is now being told that there is an agreement with DANC and he is also being told that there is a conflict of interest. He referred to what he called a memo from Attorney Slye. Councilman Smith questioned Mr. Velto and Mr. Juravich sitting on the Downtown Development Board and making decisions that affect this property when Mr. Velto is associated with NCCDC and Mr. Juravich works for DANC.

Attorney Slye responded to Councilman Smith’s remarks by stating that Councilman Smith had asked the question about purchasing a tax sale certificate. And, the answer was that there is nothing to prohibit a Council member from purchasing a tax sale certificate. However, Attorney Slye stated that had Councilman Smith told him that the parcel was one on which he had voted to require his office to conduct a sheriff’s sale on, he would have given him an entirely different answer. Attorney Slye stated that the “memo” Councilman Smith is referring to is in fact an opinion letter to the City Manager.

Attorney Slye stated that he objected to Councilman Smith’s characterization that he was given inconsistent information and answers. Attorney Slye suggested that in the future, Councilman Smith should get his own attorney and should ask specific questions.

Councilman Smith responded that he had spoken with Attorney Slye on two occasions and the first time he only asked if he could purchase a tax sale certificate. He also stated

that he doesn't recall City Council ever voting on retaining the Matthews property. He also commented that he made a public disclosure during an open meeting that he was interested in purchasing the property. And, now he finds that an agreement is being prepared for DANC.

Attorney Slye stated that disclosure must be made in writing to each member of Council. He also stated that he has been asked to work on a draft, as he often is. He explained that the City Manager's Office tells him what they need and he puts it into legal language. He also commented that Councilman Smith has the option of obtaining the property through public auction.

Councilman Smith again questioned Mr. Juravich and Mr. Velto's presence on the Downtown Development Board. He stated that it seems the City is always against someone developing property.

Mayor Butler stated that there would not be a legal debate here this evening. He commented to Councilman Smith that he could go through public auction.

Attorney Slye commented to Councilman Smith that he thought his interest in the property was a dead issue when he went along with Council's urging to sell the property at a Sheriff's sale. He also commented that Councilman Smith could still purchase the property from Mr. Matthews.

Councilman Smith stated that this whole issue is very frustrating to him, as he wants to develop the property.

Mayor Butler commented that the Downtown Development Board is an advisory board only.

Councilman Clough also commented that Council doesn't have to accept any recommendations that the board might present.

Councilwoman Burns responded that as chair of the board she understands its role. However, the board would hope that their recommendations are given thought and consideration by the Council. She explained that the board's task was to look at abandoned buildings in the downtown such as the Iron Block buildings and the YWCA. She advised that there has been no recommendation to demolish or restore those buildings. She also commented that she did not know that Councilman Smith was still interested in the property. She stated that DANC and NCCDC feel that the demolition of that portion of the area would be an improvement. Councilwoman Burns remarked that there were no deals being made. It was on the agenda for the last Downtown Development Board meeting and needed to be voted on so that the project could move forward.

Councilman Smith commented that development isn't tearing something down.

Attorney Slye commented to Councilman Smith that he is not prohibited from bidding on the property at public auction. However, he can't vote on entering into an agreement with DANC involving the property, as it would be a conflict of interest. Attorney Slye also reiterated the fact that Councilman Smith needs to send a letter to each Council member outlining this conflict of interest.

Front Yard Parking/Sign Ordinance Revisions

It was agreed to hold these discussions until the next work session on June 24th.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCILMAN SMITH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING NEGOTIATIONS WITH THE PBA.

MOTION WAS SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Council moved into Executive Session at 9:25 p.m.

Council reconvened at 9:50 p.m.

Syracuse Symphony Concert/Council Meeting

MOTION WAS MADE BY COUNCILMAN CLOUGH TO SCHEDULE THE NEXT REGULAR COUNCIL MEETING ON JULY 1ST FOR 4:00 P.M. DUE TO THE SYMPHONY BEING HELD THAT EVENING IN THE PARK.

MOTION WAS SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Work Sessions & Strategic Planning Meeting

Council agreed not to hold any work sessions during July and August unless there was an emergency. Next strategic planning meeting will be held on Friday, June 28th at Thompson Park from 8-4 p.m.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:55 P.M. BY MOTION OF COUNCILMAN SMITH, SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton, City Clerk

